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03/13/2006

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EXAMINER

HALL, ARTHUR O

ART UNIT

PAPER NUMBER

3718

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/595,163	<b>Applicant(s)</b> YOKOYAMA, YUICHI	
	<b>Examiner</b> ARTHUR O. HALL	<b>Art Unit</b> 3718	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/27/2006</u>                                                 | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 3/27/2006 has been acknowledged by the examiner.

### ***Priority***

Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

### ***Claim Objections - 35 USC § 112***

Claim 9 is objected to under 35 U.S.C. 112, second paragraph as being interpreted under 35 U.S.C. 112, sixth paragraph as not recited in means plus function form because the means plus function language set forth in the claim(s) does not satisfy the 3-prong test set forth by the Court of Appeals for the Federal Circuit (CAFC). The 3-prong test provides a determination of the manner in which the scope of a "means or

Art Unit: 3718

step plus function" limitation is to be interpreted during examination, which is to read on only the structures or materials disclosed in the specification and "equivalents thereof" that correspond to the recited function (See MPEP 2181 (I), (II); see also *In re Donaldson Co.*, 16 F.3d 1189, 29 USPQ2d 1845 (Fed. Cir. 1994)).

The CAFC decided in accordance with *In re Donaldson Co.* that a claim limitation is presumed to invoke 35 U.S.C. 112, sixth paragraph, if the claim meets the following 3-prong test:

- (A) the claim limitations must use the phrase "means for " or "step for; "
- (B) the "means for " or "step for " must be modified by functional language; and
- (C) the phrase "means for " or "step for " must not be modified by sufficient structure, material, or acts for achieving the specified function.

The claim limitations "first request receiving means for receiving," "operation display means for displaying," "second request receiving means for receiving," "moving object control means for setting," and "moving object display means of displaying" use the phrase "means for," and the "means for" for the "second request receiving means for receiving" and "moving object display means of displaying" are **not** entirely modified by some function recited in the claim. Examiner further finds that the terms that precede the means are merely features that describe the type of means plus function limitation and do not cause the means plus function limitations to be modified by any structure.

Art Unit: 3718

However, it is clear that the claim is modified by some structure, material or acts as described below.

Specifically, the claim limitation “second request receiving means for receiving” and “moving object display means of displaying” use the phrase “means for,” but the “means for” is modified by some structure, material or acts recited in the claim. It is unclear whether the recited structure, material, or acts are sufficient for performing the claimed function which would preclude application of 35 U.S.C. 112, sixth paragraph, because the claim appears to require an input device in order to provide the controller with the request to dispatch the moving object when the character is displayed on the monitor.

If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend the claim so that the phrase “means for” or “step for” is clearly **not** modified by sufficient structure, material, or acts for performing the claimed function.

If applicant does **not** wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend the claim so that it will clearly not be a means (or step) plus function limitation (e.g., deleting the phrase “means for” or “step for”).

***Claim Rejections - 35 USC § 112***

Art Unit: 3718

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "setting extend of deviance of a destination, and controlling the movement object which moves from the point to the destination after been deviated" in about lines 16-18 on page 2 of the amended claims filed on 9/24/2009. However, Examiner finds that the recitation is unclear at least in that the recitation appears to recite that the deviance occurs after the moving object reaches the destination. Although, the specification of this application on page 17, paragraph 0068 teaches that the ball/moving object deviates on a path toward the destination or prior to reaching the destination.

Claim 9 recites, in the preamble, the limitation "A video game device" in about line 16 on page 4 of the amended claims filed on 9/24/2009. However, Examiner finds that the main recited features "first request receiving means for receiving," "operation display means for displaying," "second request receiving means for receiving," "moving object control means for setting," and "moving object display means of displaying" are software that controls the structural controller and display according to the specification of this application on pages 12-14, paragraphs 0049-0055.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-8 recite a video game program that is merely a computer-readable medium because the functional features recited in the body of the claim(s) is software to be stored thereon. Thus, reciting a video game program does not affirmatively nor clearly recite the tangible computer-readable medium necessary for the computer software or program to be stored thereon. Consequently, the computer-readable medium must be affirmatively recited so as to realize the computer program's functionality.

Further, Claims 1-8 recite a video game program that may typically be considered a computer-readable medium when a computer-readable medium is affirmatively recited so as to realize the computer program's functionality. In this case, the video game program covers non-transitory media and transitory propagating signals per se since the video game program may be considered tangible media (i.e. ROM or RAM) in light of the specification, and the data to be stored on the "storage medium" may also be transmitted as a signal in light of the specification.

The broadest reasonable interpretation of a claim that is drawn to a computer readable medium (or a machine readable medium and other variations thereof) usually covers forms of non-transitory tangible media and transitory propagating signals per se

in view of the ordinary and customary meaning of computer readable media (See MPEP 2111.01). Since the claims are directed to a computer-readable medium that covers signals per se, any claim drawn to a computer-readable medium to cover both transitory and non-transitory embodiments may be amended by adding the limitation "non-transitory" to the claim so as to narrow the claim to cover only statutory embodiments and avoid further rejection under 35 U.S.C. 101. This amendment would typically not raise the issue of new matter, even when the specification is silent, because the broadest reasonable interpretation relies on the ordinary and customary meaning, which includes signals per se.

Consequently, since the broadest reasonable interpretation of the claims covers a signal per se, and because the claims are given their broadest reasonable interpretation consistent with the specification, claims 1-8 are directed to nonstatutory functional descriptive material per se and is given very limited patentable weight (See MPEP 2106.01 Computer-Related Nonstatutory Subject Matter; see also *Diamond v. Diehr*, 209 USPQ 1, 8 (1981); see also *In re Zletz*, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989)).

Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention does not clearly define a statutory category of invention.

Claim 9 recites "A video game device" that is not clearly an apparatus or article of manufacture or process claim, even though the claim recites some structure of a device that is capable of carrying out a particular recited function using the program code

Art Unit: 3718

features. Thus, reciting the “first request receiving means for receiving,” “operation display means for displaying,” “second request receiving means for receiving,” “moving object control means for setting,” and “moving object display means of displaying” as the main structural features, which are software code features, of the “video game device” does not affirmatively nor clearly recite an apparatus or article of manufacture or process claim because one having ordinary skill in the art would not have been able to clearly realize that any structure recited indicates that the claims are directed to an apparatus nor that any structure recited indicates that claims are directed to performing the recited function so as to be an article of manufacture or process.

Consequently, claim 9 is merely directed towards a device, which is an apparatus claim, since a device describes the interrelation or intercommunication between plural devices, and the body of the claim must recite structural features to support the device functions (See MPEP 2143 D.; See also *Dann v. Johnston*, 189 USPQ 257 (1976)).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

Art Unit: 3718

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Examiner submits that a first request receiving function "for receiving," an operation display function "for displaying," a moving object control function "for setting," and a dispatch storing function "for storing" among others are functions, which are possibly code, merely "capable of" executing a process as recited by claims 1-3, 5 and 7, which is intended use language and is given very limited patentable weight when evaluating the claims because the terms "for receiving," "for displaying," "for setting," "for storing," and "capable of" suggest or make optional the steps recited, do not limit a claim to a particular structure and do not limit the scope of the claim (See MPEP 2106 II, C. Review the Claims). Therefore, Examiner submits that applicants' claims are interpreted as broadly as reasonably allowed in light of the specification in accordance with *In re Zletz* (See *In re Zletz*, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989)).

The claims are replete with intended use language, and Examiner suggests that applicants review all claims and replace such language with an affirmative recitation of how the structural features execute the functional limitations of the claimed invention.

Claims 1, 3-4, and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Namba et al. (US Patent 6,494,783; hereinafter Namba) in view of Hoshino (JP Patent Application Publication 2001-129249). Features are described by figures with reference characters where necessary for clarity.

Regarding claim 1, Namba teaches

a video game program for causing a computer to implement a video game that can be executed by means of a controller, in which a character and a moving object are displayed on a monitor, and the moving object is dispatched by the character, the video game program (column 4, lines 30-63, column 6, lines 15-41, and Fig. 1, 18, 24, 34, 36, Namba; a memory unit, which is a non-transitory computer readable medium that stores a video game program is configured to execute code using controllers so as to cause a pitcher character or character to pitch or dispatch a virtual ball character or moving object in a virtual baseball game in which the character, ball and pitching motion are displayed on a display or monitor in response to certain player selections and game actions) comprises:

a first request receiving function for receiving an operation initiation request from the controller in order to cause the character to initiate a dispatch operation until the moving object is dispatched (column 8, lines 17-26, Namba; the stored code or first request receiving function receives a pitch type or operation initiation request from a controller that receives the selection input from a mouse which remains in effect until the ball is pitched after causing and so as to cause the pitcher character to start the pitching process);

an operation display function for displaying the dispatch operation of the character on the monitor when the first request receiving function has received the operation initiation request (column 8, lines 41-55, Namba; the stored code or operation display function causes, using the controller, sets the course of the pitch ball or dispatch operation as a result of the pitch position being set so as to display the pitch course on the display when pitch type is received from the controller);

a second request receiving function for receiving a request to dispatch the moving object from the controller when the dispatch operation of the character is displayed on the monitor by the operation display function (column 8, line 56 to column 9, line 7, Namba; the stored code or second request receiving function receives using the controller an indication or request when the player stops movement of the indicator

Art Unit: 3718

SI such that the prescribed speed of the ball is set to cause the indicator SI begins to move on the displayed speed gauge SG at the same time in which the indicator CI of the displayed control gauge CG moves at high speed to cause the pitch process to occur at the pitch position set and be displayed as part of the displayed control gauge CG);

a moving object control function for setting point of dispatching the moving object from the character controlling the movement of the moving object according to a timing at which the second request receiving function received the dispatch request (column 8, lines 27-41, column 9, lines 27-48, Namba; the stored code or moving object control function sets, using the controller, a prescribed position or pitch position or ball target point according to the time of setting the pitch type and pitch position set so as to be used to define the point of pitching of the ball character from the pitcher to the strike zone SZ of a batter character above home plate HB); and

a moving object display function for displaying the moving object controlled by the moving object control function on the monitor (column 9, lines 8-26 and Fig. 14, Namba; the stored code or moving object display function displays, using the controller, the pitching of the ball by the pitcher toward the batter character on the display as in combination with the control gauge CG movement if pitch type, pitch position and pitch position set are positively determined to be properly set).

However, Namba does not appear to teach setting the deviance of the ball character as claimed. Therefore, attention is directed to Hoshino, which teaches

setting extend of deviance of a destination, and controlling the movement object which moves from the point to the destination after been deviated (paragraphs 0021 and 0029 and Dwg. 4-5, 57, Hoshino; the extent of deviance of the ball or ball character based on a degree of success in which the pitched ball has settled in a predetermined width or deviance from a predetermined range of the strike zone is set by the pitcher's ball control meter display and display as part of success range display, which is

Art Unit: 3718

measured after deviation from the strike zone occurs after the ball leaves the pitcher to approach the strike zone).

Hoshino suggests that a non-transitory computer readable medium used with a device that controls the ease with which a player pushes a button to throw a ball character and stop a pitcher's ball control based on limits of a success range display will maintain a player's interest over the baseball game due to increasing the player's concentration when controlling the pitcher's ball becomes more difficult for poor pitch types versus becoming easier for pitch type favorites of the pitcher character (paragraph 0028, Hoshino).

Thus, it would have been obvious to a person having ordinary skill in the art at the time the applicant's invention was made to modify Namba in view of the teachings of Hoshino for the purpose of providing the memory unit of Namba having settings of prescribed or pitch position, pitch type and pitch position based on player movement of an indicator to control pitch speed and travel path upon leaving the pitcher's throwing position to arriving at the strike zone that are upgradeable to and/or integrable with the setting of the predetermined width or deviance from a predetermined range of the strike zone as measured and displayed by success range display that shows the degree of success in which the pitched ball has settled in the predetermined width or deviance from the predetermined range as disclosed by Hoshino in order to maintain a player's interest over the baseball game due to increasing the player's concentration when controlling the pitcher's ball becomes more difficult for poor pitch types versus becoming easier for pitch type favorites of the pitcher character by controlling the ease with which

Art Unit: 3718

a player pushes a button to throw a ball character and stop a pitcher's ball control based on limits of a success range display.

Regarding claim 9, the scope of the claim for the apparatus that employs the method of operating the system is inherent with respect to claim 1 above in view of the structure disclosed by Namba and Hoshino since the apparatus is employed in the normal and logical manner by which the method is executed.

Regarding claim 10, the scope of the claim for the method of operating the system is inherent with respect to claim 1 above in view of the structure disclosed by Namba and Hoshino since the method is the normal and logical manner by which the system is employed.

Regarding claim 3, a dispatch storing function for storing dispatch information for the character is disclosed, wherein the moving object control function references the dispatch information stored in the dispatch storing function and controls the movement of the moving object (paragraphs 0028 and 0035, Hoshino; the code or dispatch storing function uses the CPU to store characteristic data of the pitcher character as pitch type or dispatch information on the non-transitory computer readable medium to control movement of the ball character when pitched by the pitcher character).

Regarding claim 4, the moving object control function establishes the extent of the displacement of the moving object at the destination of the moving object and controls the movement of the moving object, in accordance with the dispatch position of the moving object at the character at the time at which the second request receiving function has received the dispatch request (paragraphs 0021 and 0028, Hoshino; the

Art Unit: 3718

predetermined width is the extent of displacement of the ball from the strike zone or destination within the predetermined range that controls the movement of the ball based on the pitch type of the pitcher character that relates to the position the ball leaves the pitcher to move toward the strike zone, and it would have been obvious at the time of invention to one having ordinary skill in the art to realize that ball is pitched at the time when the strike zone position is determined since Namba teaches that the stored code sets, using the controller, a prescribed position or pitch position or ball target point according to the time of setting the pitch type and pitch position set so as to be used to define the point of pitching of the ball character from the pitcher to the strike zone SZ of a batter character above home plate HB).

Regarding claim 7, a second timing display function for displaying, with text or an image, favorable or unfavorable results of the timing at which the moving object was dispatched is disclosed (column 9, lines 27-48, Namba; the code or second timing display function, using the controller, determines and displays a meet cursor position data and position data coinciding when the ball character reaches the bat of the batter character to indicate affirmative or favorable results, and also determines and displays the meet cursor position data and position data as not coinciding when the ball character passes over home plate).

Regarding claim 8, the speed of the moving object is determined by operating the controller from when the first request receiving function receives the operation initiation request until the second request receiving function receives the dispatch request (column 8, lines 27-40, Namba; the code controls the controller to cause a speed gauge SG to display the speed of the ball character from selection of the pitch type to setting of the prescribed speed).

Claims 2 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Namba in view of Hoshino, and further in view of Sterchi et al. (US Patent

Application Publication 2005/0153764; hereinafter Sterchi). Features are described by figures with reference characters where necessary for clarity.

Namba alone or in combination with Hoshino teaches features of the claimed invention as described above.

However, Namba alone or in combination with Hoshino does not appear to teach receiving a destination and trajectory request as claimed. Therefore, attention is directed to Sterchi, which teaches

Regarding claim 2, a third request receiving function for receiving a destination indicating request and a trajectory properties specifying request from the controller in order to indicate the destination and to specify the trajectory properties of the moving object up to the destination, before the first request receiving function receives the operation initiation request is disclosed; wherein the moving object control function controls the movement of the moving object according to the destination indicating request and trajectory properties specifying request received by the third request receiving function (paragraphs 0050-0051, Sterchi; the code receives a player's selection of an intended location for the pitch or destination indicating request and pitch type or trajectory properties specifying request from a controller of the videogame console to indicate the intended pitch location in or out of the strike zone of the batter and whether the pitch path or trajectory will result from a fastball, curveball, change-up or screwball, etc. type of pitch prior to initiation of the pitch type to move the ball character from the pitcher toward the strike zone and subsequent movement of the ball character in the specified configuration).

Sterchi suggests that non-transitory computer readable medium used with a videogame console that allows the videogame player to select a specific pitch type and

Art Unit: 3718

other control parameters during game play will improve game play of video baseball, basketball, football, soccer, hockey games through creation of greater realistic and exciting experiences for the player (paragraphs 0002-0005, Sterchi).

Thus, it would have been obvious to a person having ordinary skill in the art at the time the applicant's invention was made to modify Namba in view of the teachings of Hoshino, and further in view of the teachings of Sterchi for the purpose of upgrading and/or integrating the settings of prescribed or pitch position, pitch type and pitch position based on player movement of an indicator to control pitch speed and travel path upon leaving the pitcher's throwing position to arriving at the strike zone to utilize the setting of a predetermined width or deviance from a predetermined range of the strike zone as measured and displayed by success range display that shows the degree of success in which the pitched ball has settled in the predetermined width or deviance from the predetermined range as disclosed by Namba alone or in combination with Hoshino with the selection of pitch type and an intended location for the pitch as disclosed by Sterchi in order to improve game play of video baseball, basketball, football, soccer, hockey games through creation of greater realistic and exciting experiences for the player by allowing the videogame player to select a specific pitch type and other control parameters during game play.

Regarding claim 5, a first timing display function for displaying a timing indicator that shows the timing at which the moving object is to be dispatched, after the first request receiving function has received the operation initiation request is disclosed (paragraphs 0052-0053 and Figs. 5-8, 350, Sterchi; the code displays a release meter or timing indicator, using a controller, that reveals to the player visually the timing from

Art Unit: 3718

pitch wind up, pitch and release of the ball character after the indication to pitch has been initiated to begin).

Regarding claim 6, the timing indicator is displayed in conjunction with the dispatch operation of the character (paragraphs 0052-0053 and Figs. 5-8, 370, Sterchi; the release meter is displayed with the pitching of the ball by the pitcher character).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A US-6,244,956 B1, Nakayama et al.

B US-5,769,713, Katayama

C US-6,503,144 B1, Rimoto et al.

D US-6,149,520, Takatsuka

E US-6,371,849 B1, Togami

F US-2001/0044333 A1, Okishio et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARTHUR O. HALL whose telephone number is (571)270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3718

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Arthur O Hall/  
Examiner, Art Unit 3718